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3
4 BILL NO. S-74-08-36

5 SPECIAL ORDINANCE S-135-74

6 AN ORDINANCE authorizing the issuance and sale of
7 \$600,000 Economic Development Revenue Bonds
8 Series 1974 (Grant-Holladay Construction Corp. Project) of the
9 City of Fort Wayne, Indiana, for the purpose of
10 acquiring real estate, machinery, equipment and
11 related property comprising economic development
12 facilities for lease and sale to Grant-Holladay
13 Construction Corp. authorizing execution of the
14 Lease, providing for the pledge of revenues
15 for the payment of said bonds, authorizing
16 a mortgage and indenture of trust appropriate
17 for the protection and disposition of such
18 revenues; and authorizing the sale of said bonds.

14 WHEREAS, the Fort Wayne Development Commission has developed and
15 filed with the Plan Commission of the City of Fort Wayne a "Report of Fort Wayne
16 Development Commission Regarding Facilities to be Purchased for Grant-Holladay
17 Construction Corp." and the City Clerk has presented the same to the Common Council;
18 and

17 WHEREAS, the Fort Wayne City Plan Commission has filed its written
18 comments concerning said proposed plan and approving the same; and

19 WHEREAS, it is in the best interest of the City of Fort Wayne and the
20 economic development thereof, that said Report be approved and that the acquisition
21 and construction of the industrial facilities mentioned in said report be implemented; and

22 WHEREAS, the Fort Wayne Development Commission adopted a resolution
23 on August 9, 1974, approving the financing of said industrial
24 facilities as described in said Report to be financed by the loan to Grant Holladay
25 Construction Corp. of proceeds from the issue and sale of revenue bonds of the City
26 of Fort Wayne, and approving a Lease Agreement, Mortgage and Indenture of
27 Trust, and finding that the proposed financing complies with the purposes and provisions
28 of I.C. 1971, 18-6-4.6; and

27 WHEREAS, said Resolution was presented to the City Clerk for presentation
28 to the Common Council of the City of Fort Wayne and was so presented.

28 NOW THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE
29 CITY OF FORT WAYNE, INDIANA, THAT:

30 SECTION 1. The above mentioned Report of the Fort Wayne Development
31 Commission together with the comments thereon by the Fort Wayne Plan
32 Commission be accepted and ordered filed.

32 SECTION 2. The Common Council of the City of Fort Wayne gives
33 its approval of the project reported on in the above mentioned Report of the Fort
34 Wayne Development Commission.

35 SECTION 3. The financing of industrial facilities by the issuance and
sale of revenue bonds of the City of Fort Wayne and the loan of the proceeds thereof

APPROVED AS TO FORM
AND LEGALITY, _____

to Grant Holladay Construction Corp. for the purpose of acquiring and constructing the recreational facilities referred to in the Lease, as previously approved by the Fort Wayne Development Commission and presented to the Common Council will be of benefit to the health and welfare of the City of Fort Wayne.

SECTION 4. the form of the Lease and the Indenture of Trust approved by the Fort Wayne Development Commission are hereby approved and such documents collectively shall be considered the "Financing Agreements" referred to in I.C. 1971, 18-6-4.5. Such documents shall be incorporated herein by reference and shall be inserted in the minutes of the Common Council and kept on file by the City Clerk.

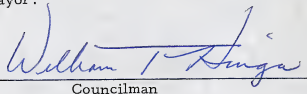
SECTION 5. The City of Fort Wayne shall issue its Economic Development Revenue Bonds Grant-Holladay Construction Corp. Project) in the total principal amount of Six Hundred Thousand Dollars (\$600,000.00) for the purpose of acquiring funds to loan to Grant-Holladay Construction Corp. so that it may acquire and construct the project (all as more particularly set out in the Lease and Indenture of Trust) which bonds will be payable as to principal, premium, if any, and interest primarily from payments by Grant-Holladay Construction Corp. on its Note or Notes made to the Trustee pursuant to the Lease and from other sources as provided in the Lease or as otherwise provided in the above described Indenture of Trust. The Bonds and the interest thereon shall never constitute a charge against the general credit or taxing power of the City.

SECTION 6. The City Clerk is authorized and directed to negotiate the sale of such bonds at a rate of interest not to exceed ____ per annum at par. In such negotiations the City Clerk may consult with the Mayor, City Attorney, and officers or representatives of Grant-Holladay Construction Corp.

SECTION 7. The Mayor and City Clerk are authorized and directed to execute the documents approved herein on behalf of the City of Fort Wayne and any other document which may be necessary or desirable to complete the transaction including the bonds authorized herein. The signatures of the Mayor and City Clerk on the bonds and coupons may be facsimile signatures. The City Clerk of the City of Fort Wayne is authorized to arrange for delivery of such bonds to the purchasers thereof, payment for which shall be made to the trustees named in the Indenture of Trust.

SECTION 8. The provisions of this Ordinance and the Indenture of Trust securing the bonds shall constitute a contract binding between the City of Fort Wayne and the holders of the Economic Development Revenue Bonds (Grant-Holladay Construction Project), after the issuance of said bonds, this Ordinance shall not be repealed or amended in any respect which would adversely affect the rights of such holders so long as any of said bonds or the interest thereon remain unpaid.

SECTION 9. This Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.


Councilman

APPROVED AS TO FORM
AND LEGALITY, _____

CITY ATTORNEY

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee on _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 197_____, at _____ o'clock P.M., E.S.T.

Date: _____

CITY CLERK

Read the third time in full and on motion by Hinga, seconded by V. Schmidt, and duly adopted, placed on its passage. Passed (~~LAST~~) by the following vote:

	AYES <u>9</u>	NAYS <u>0</u>	ABSTAINED _____	ABSENT _____ to-wit:
BURNS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
HINGA	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
KRAUS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
MOSES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
NUCKOLS	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHMIDT, D.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
SCHMIDT, V.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
STIER	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
TALARICO	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

DATE: 8-27-74

Charles W. Westerman
CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (~~Zoning Map~~) (~~General~~) (~~Annexation~~) (~~Special~~) (~~Appropriation~~) Ordinance (~~Resolution~~) No. A-135-74 on the 27th day of August, 1974.

ATTEST: (SEAL)

Charles W. Westerman
CITY CLERK

Samuel J. Talarico
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 28th day of August, 1974, at the hour of 11:00 o'clock A.M., E.S.T.

Charles W. Westerman
CITY CLERK

Approved and signed by me this 28th day of August, 1974, at the hour of 4:00 o'clock P.M., E.S.T.

Sam H. Lamp
MAYOR

SUSPENSION OF RULES

BILL NO. A-74-08-36

Councilman Hinga, moved to suspend the rules on passage of BILL NO. A-74-08-36, at this meeting of August 27, 1974, of the Common Council of the City of Fort Wayne, Indiana. Said motion was seconded by Councilman V. Schmidt, and duly passed by unanimous vote of all legally elected members of the said Common Council.

The above BILL and Special ORDINANCE was accordingly placed on its passage.

DATE: 8-27-74

Samuel J. Talarico

PRESIDING OFFICER

CITY CLERK

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT</u>
<u>BURNS</u>	<u>✓</u>	—	—	—	—
<u>HINGA</u>	<u>✓</u>	—	—	—	—
<u>KRAUS</u>	<u>✓</u>	—	—	—	—
<u>NUCKOLS</u>	<u>✓</u>	—	—	—	—
<u>MOSES</u>	<u>✓</u>	—	—	—	—
<u>D. SCHMIDT</u>	<u>✓</u>	—	—	—	—
<u>V. SCHMIDT</u>	<u>✓</u>	—	—	—	—
<u>STIER</u>	<u>✓</u>	—	—	—	—
<u>TALARICO</u>	<u>✓</u>	—	—	—	—

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as A-135-74

ATTEST:

(SEAL)

DATE: 8-27-74

Charles W. Clatterman
CITY CLERK

DIGEST SHEETTITLE OF ORDINANCE SPECIAL ORDINANCE*D-74-08-36*DEPARTMENT REQUESTING ORDINANCE DEVELOPMENT COMMISSIONSYNOPSIS OF ORDINANCE Authorizing the Issuance and sale of \$600,000 EconomicDevelopment Commission Revenue Bonds - Grant-Holladay Construction Corp.

EFFECT OF PASSAGE _____

EFFECT OF NON-PASSAGE _____

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) _____

ASSIGNED TO COMMITTEE (PRESIDENT) *B Finance*